

# **EXHIBIT “C-4”**

1  
2 M A R K J. B R O S H , called as a  
3 witness on behalf of the People of the State of New York,  
4 having been duly sworn, was examined and testified, under  
5 oath, as follows:

6 DIRECT EXAMINATION BY MR. FITZPATRICK:

7 Q Mark, good morning. Tell us your full name and  
8 where you live, please.

9 A Mark J. Brosh, Liverpool, New York.

10 Q And what do you do for a living, Mark?

11 A Plumbing and heating business.

12 Q How old are you?

13 A Thirty-one.

14 Q Married?

15 A Yes.

16 Q Wife's name?

17 A Lori.

18 Q How long have you been married?

19 A Going on five years.

20 Q Good for you. Any kids?

21 A Yeah, one.

22 Q All right. And any on the way?

23 A Yes, one.

24 Q All right, sir. And back in March of '87, Mark,  
25 where were you living back then?

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2 A Liverpool.

3 Q And were you married back in March of '87?

4 A No.

5 Q Were you engaged?

6 A Yeah.

7 Q All right. Did you know Hector Rivas, the  
8 defendant, here?

9 A Yes.

10 Q How long had you known Hector Rivas prior to  
11 March of '87?

12 A Probably seven years.

13 Q And what was your relationship with him?

14 A Friends.

15 Q Did you have a business relationship with him?

16 A Yeah. We worked for a company together.

17 Q All right. And you developed a friendship over  
18 the course of time?

19 A Yeah.

20 Q Now, did you know the deceased, Valerie Hill?

21 A No. Knew of her, met her a few times, yeah.

22 Q And did you meet her in connection with Hector?

23 A Yeah.

24 Q And did you ever discuss with Hector his  
25 relationship with Ms. Hill?

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2 A Not too much.

3 Q All right, sir. Did he ever express any  
4 feelings that he had for her to you?

5 A Yeah. He was, you know, in love with her.

6 Q Did he ever say he had any plans regarding Miss  
7 Hill?

8 A I assumed he was really in love with her and  
9 wanted to get married someday.

10 Q Are these thoughts that he expressed to you?

11 A Yeah. I guess so. Thoughts that I took it that  
12 way.

13 Q And did he ever talk to you about Miss Hill's  
14 plans regarding staying or leaving the area?

15 A He said she was going to leave the area for  
16 a while.

17 Q And do you remember when he told you that? Do you  
18 remember when he told you, what time frame?

19 A I don't recall.

20 Q All right. I want to ask you, Mark, if you do  
21 recall Friday, March the 27th? I have a calendar here in  
22 front of me that may help you.

23 Do you recall that date, sir?

24 A Yes.

25 Q And did you work that day?

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2 A Yes.

3 Q And what time did you get off work?

4 A Five, five-thirty.

5 Q And what did you do that evening?

6 A Well, we went up to Coleman's bar.

7 Q Did you hear from Hector that evening prior to  
8 going to Coleman's?

9 A Yeah. He called me, asked where we were going  
10 to be.

11 Q Where had he called you?

12 A I think it was my office.

13 Q And what was the conversation all about?

14 A What's happening this weekend, what's going on.  
15 I said, "We're going up to Coleman's," and, "Meet us up  
16 there."

17 Q When you say "we," who?

18 A Normal people that we'd have job meetings on  
19 Friday and everybody would go up there.

20 Q Now, was this the regular thing where you would  
21 meet Mr. Rivas at Coleman's?

22 A We worked for A.B.O. Plumbing. We'd meet up  
23 there after job meetings, and he went into his own  
24 business, and I went into my own business, and we really  
25 didn't go out too much after that, but --

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2 Q All right. How long had it been prior to that  
3 phone call on Friday, that you had heard from Hector?

4 A Uh -- I don't know. We really hadn't done  
5 anything in about six months, I'd say.

6 Q Now, did you tell him what time you were going  
7 to be there?

8 A Yeah, 6:00.

9 Q And did you, in fact, get there at 6:00?

10 A Six, six-thirty, right in there.

11 Q And did you meet your fiancée there?

12 A Yeah.

13 Q I'm sorry. Were you engaged then? I asked you  
14 then --

15 A I thought I was. I thought I was.

16 Q All right. And did you see Mr. Rivas at  
17 Coleman's?

18 A Yes.

19 Q Do you remember what time he got there?

20 A It had to be 6:30, quarter of 7, right in that  
21 area.

22 Q All right, sir. And describe for us any  
23 conversation you had with him.

24 A Well, there were several people there with us,  
25 you know. We were just talking informal stuff, "How's

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2 things going," you know.

3 Q Okay. Anything unusual happen while you were at  
4 Coleman's?

5 A No.

6 Q Everybody having a good time?

7 A Yeah.

8 Q I want to show you a map here of a part of the  
9 city, Mark. I'll give you a second to orientate yourself  
10 to that.

11 A (Witness complied.)

12 Q Are you familiar with some of the roads shown  
13 here, 690?

14 A Mm-hmm.

15 Q Teall Avenue? There's an indication of  
16 Coleman's restaurant over here on the west side?

17 A Mm-hmm.

18 Q I believe it's on Tompkins Street. Does that  
19 coincide with your judgment as to where Coleman's is  
20 located?

21 A Yes.

22 Q All right, sir. And do you know what time  
23 Hector Rivas, or -- strike that.

24 Did you see Mr. Rivas leave Coleman's?

25 A Yeah.

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2 Q And when did he leave Coleman's? What time?

3 A Between 9 and 9:30.

4 Q And how were you aware of that time?

5 A Well, he left fifteen, twenty minutes before my  
6 wife and I left -- or my fiancée then, and we went home.  
7 We would go home before 10:00.

8 Q And you're certain you were home before 10?

9 A Yeah, right in that area, yeah.

10 Q All right, sir. And do you know anything about  
11 the defendant's personal habits regarding smoking? Do you  
12 know if he was a smoker?

13 A Yeah, he was a smoker.

14 Q And do you know what brand he smoked back in  
15 March?

16 A I don't know what he smoked in March, because like  
17 I said -- but he used to smoke cigarettes.

18 Q Do you know what brand he used to smoke?

19 A I thought they were Barclays.

20 Q Barclays, all right. Mark, thanks very much.  
21 Why don't you stay right there.

22 MR. CALLE: Thank you, sir.

23

24 CROSS-EXAMINATION BY MR. CALLE:

25 Q Good morning, Mr. Brosh.



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2 A How are you doing?

3 Q Mr. Brosh, directing your attention to the  
4 month of March 1987, can you recollect how long you had  
5 known Hector at that time?

6 A Seven years.

7 Q And in the course of those seven years, did you  
8 have occasion to go out with him?

9 A Yes.

10 Q On a friendly --

11 A Yes.

12 Q -- private life basis?

13 A (No verbal response.)

14 Q Did you have occasion to work with him?

15 A Yes.

16 Q Did you ever work with him out of town?

17 A Yes.

18 Q Would you say it was a number of occasions you  
19 did both?

20 A Mm-hmm. Yeah.

21 Q I'm not intimating --

22 A I'd say so. Yeah, we worked --

23 Q More than one time each --

24 A Yeah, right.

25 Q Directing your attention to one month prior

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2 to the telephone call setting up the evening meeting at  
3 Coleman's, do you recall socializing with Hector Rivas at a  
4 place called O'Toole's sometime in February 1987?

5 A I don't recall right now, no.

6 Q Okay. Is it possible that you did?

7 A Yeah, I could. It would have been possible.

8 Q It's just that you don't recall?

9 A Yes, right.

10 Q Then you are not sure that you didn't see him for  
11 six months on a social basis?

12 A Right. Well, we used to every weekend, we used  
13 to go out, you know, back when we worked together. Like I  
14 said, I went in business, he went in business, and we  
15 parted our ways, and we didn't see each other that much  
16 anymore.

17 Q But did you remain friendly with him?

18 A What's that?

19 Q Did you remain friendly with him?

20 A Yes.

21 Q Mr. Brosh, in the course of this friendship or  
22 business relationship or both, did you ever have occasion to  
23 see Mr. Rivas interact with females?

24 A Yes.

25 Q Okay. Can you describe his behavior, demeanor,

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2 with females, to this Court?

3 A He was a gentleman and polite.

4 Q Did you ever see Mr. Rivas strike any women?

5 A No.

6 Q Did you ever see Mr. Rivas harass sexually any  
7 women?

8 A No. I -- no.

9 Q Were you privy to any weird sexual habits that  
10 he might have possessed?

11 A No.

12 Q Now, when you said you went on jobs out of town,  
13 does that mean that you stayed in some place other than  
14 your respective homes?

15 A Right.

16 Q Would that be a motel --

17 A Right.

18 Q -- or hotel?

19 A Motel.

20 Q Did you share a room?

21 A Uh -- I can't recall. There were several people  
22 working on job sites.

23 Q And did you ever see Mr. Rivas cause any problems  
24 with anyone during --

25 A No.

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2 Q -- during the course of either your business or  
3 private relationship with him?

4 A No.

5 Q Did you ever know Mr. Rivas to have a girl-  
6 friend?

7 A Yes.

8 Q Did you ever see Mr. Rivas interact with his  
9 girlfriend or girlfriends?

10 A Occasionally, yeah.

11 Q Did you ever see him strike any of his girl-  
12 friends?

13 A No.

14 Q Did you ever see Mr. Rivas get stricken by any  
15 female?

16 A No.

17 Q Did you ever hear any complaints by females about  
18 Mr. Rivas' sexual attitude?

19 A I don't recall anything like that.

20 Q Now, did you know where Mr. Rivas lived in 1987?

21 A Cazenovia.

22 Q Did you know where?

23 A I don't know the road, but I knew where the  
24 house was, yeah.

25 Q And so he had been a resident of this particular

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2 part of New York State for about seven years, you say you  
3 knew him?

4 A Mm-hmm.

5 Q So he was a local, was he not, at that time?

6 A Uh -- I, I guess so. I don't know what you  
7 define a local as.

8 Q Well, he was living up here for at least seven  
9 years, that you knew?

10 A Yeah, but he was living in North Syracuse. I  
11 think he only lived in Cazenovia a year or two at the time.

12 Q But the general vicinity of this area, would you  
13 not say that he was a resident here?

14 A Well, he's from Buffalo.

15 Q I beg your pardon?

16 A He came from Buffalo. I worked with him --

17 Q He came from Buffalo?

18 A Yeah.

19 Q And in 1987, you knew him for seven years,  
20 correct?

21 A Could be eight, could be six; approximately  
22 seven, that's right.

23 Q Approximately. So he was at least a local  
24 resident for about seven years --

25 A Yes.

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2 Q -- that you know of?

3 A Yes.

4 Q Is your testimony here today, Mr. Brosh, that  
5 Hector Rivas got into Coleman's about 6:30, 6:45?

6 A Yeah. Could have been 6:15, right in that  
7 area.

8 Q Could have been 6:00?

9 A Mm-hmm, could have been.

10 Q So you are not sure?

11 A No.

12 Q It was around 6 to 6:45 --

13 A Right.

14 Q -- something like that?

15 And is it fair to say that this meeting was  
16 tentatively set up earlier in the day?

17 A It wasn't a meeting-type deal.

18 Q Well, a get-together?

19 A Everybody goes there -- everybody, you know,  
20 everybody that I know, goes to Coleman's for happy hour.

21 Q But you had a conversation with Mr. Rivas  
22 earlier --

23 A Right.

24 Q -- earlier on the 27th?

25 A Yes.

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2 Q Do you know approximately what time that was?

3 A I don't recall.

4 Q Well, was it lunchtime?

5 A Probably midafternoon, I'd say.

6 Q What's midafternoon?

7 A Two o'clock, one-thirty, two o'clock.

8 Q So based upon that conversation, Mr. Rivas at  
9 least was aware that you and a bunch of other guys were  
10 going to be in Coleman's at that evening, and he knew this  
11 about 1:30, 2:00, approximately, correct?

12 A Yes.

13 Q You weren't surprised that he showed up at  
14 Coleman's --

15 A No.

16 Q -- were you?

17 A No.

18 Q You had spoken to him about it earlier that  
19 day?

20 A Right.

21 Q Now, there came a time that Mr. Rivas left  
22 Coleman's that evening, is that correct?

23 A Yes.

24 Q Do you recall what time he left?

25 A Between 9 and 9:30.

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2 Q So it could have been 9:00, it could have been  
3 9:30?

4 A Yes.

5 Q Could it have been 8:30?

6 A No.

7 Q Could it have been 10:00?

8 A I don't think so, no.

9 Q Do you recall if Mr. Rivas was drinking?

10 A Yes, he was.

11 Q Do you recall what he was drinking?

12 A Uh -- I, I don't recall. Beer.

13 THE COURT: Are you guessing, or are you --

14 THE WITNESS: He was drinking beer with  
15 me. I don't know what flavor of beer, or -- you  
16 know, we were drinking beer.

17 BY MR. CALLE:

18 Q How did he appear, in terms of sobriety?

19 A Fine.

20 Q Did you see him anytime after he left Coleman's  
21 that evening?

22 A No.

23 MR. CALLE: One moment.

24 (Proceedings paused.)

25 BY MR. CALLE:



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2 Q I just have two further questions for you,  
3 Mr. Brosh. Do you recall how much you were drinking that  
4 evening?

5 A We were drinking pretty good, probably ten  
6 beers, at least.

7 Q Okay. So you were fairly intoxicated, would you  
8 say?

9 A No, no. I don't think fairly intoxicated. Under  
10 control.

11 Q But you had ten beers in the course of how long?

12 A Four, five hours. Four hours.

13 Q From 6 to 10?

14 A Six to nine, nine-thirty. I won't reveal how  
15 much I drink in front of a court of law, you know what I'm  
16 saying?

17 Q I understand. Mr. Fitzpatrick is taking down  
18 notes here.

19 MR. FITZPATRICK: It's six years ago. The  
20 statute of limitations has run out.

21 BY MR. CALLE:

22 Q Mr. Brosh, between 6 and 9:30 -- is that the time  
23 you were there, three and a half hours? You just said you  
24 had about ten beers during the course of 6 p.m. and 9:30?

25 A Right.

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2 Q Okay. Would that be correct?

3 A That's --

4 Q Fair, accurate?

5 A Yeah, fair.

6 Q Okay. And would it be fair to say, Mr. Rivas  
7 left a half-hour before you did?

8 A No. He left around 9:15, 9:30. I left about  
9 quarter to 10. He left before I did.

10 Q By the way, are you wearing a watch today?

11 A No, I'm not.

12 Q Did you have a watch on?

13 A No, I didn't.

14 Q Did you look at a clock that evening?

15 A No, I didn't.

16 Q So these are guesses, would you say, fair  
17 guesses?

18 A Yes, yes.

19 Q As to the time frame, and it could be a little  
20 earlier, could be a little later?

21 A I don't think it would have been much later.

22 Q But they're all guesses?

23 A Yeah.

24 Q Thank you.

25 THE COURT: Any redirect, Mr. Fitzpatrick?

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2 MR. FITZPATRICK: Yes, your Honor.

3

4 REDIRECT EXAMINATION BY MR. FITZPATRICK:

5 Q Mr. Brosh, you testified in response to a  
6 question by Mr. Calle that Mr. Rivas was polite and  
7 gentlemanly around women. Do you recall that?

8 A Yeah.

9 Q Do you know Sarah Hamlin?

10 A No. I know of her, yeah.

11 Q And do you know of her relationship with the  
12 defendant, Hector Rivas?

13 A Yeah. They went out for a few years.

14 Q And was he polite and gentlemanly around Sarah  
15 Hamlin, as far as you know?

16 A In front of me, yes, he was.

17 Q Are you aware that Sarah Hamlin has moved out  
18 of the Central New York area?

19 A Yes.

20 Q Are you aware that is a result of her  
21 relationship with Mr. Rivas?

22 MR. CALLE: I would object. I don't  
23 believe there is any --

24 THE COURT: Sustained.

25 MR. CALLE: -- testimony pertaining to

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2 this.

3 MR. FITZPATRICK: Well --

4 THE COURT: Sustained.

5 MR. FITZPATRICK: Well, Judge, I would  
6 like to be heard outside the presence of the  
7 jury.

8 THE COURT: Okay. Would you like this  
9 witness on the stand when you make that offer,  
10 sir?

11 MR. FITZPATRICK: I have no more questions  
12 of this witness.

13 THE COURT: Okay. Wait a second. Do you  
14 want to be heard now outside the presence of the  
15 jury, sir, to put this issue to rest?

16 MR. FITZPATRICK: At the Court's  
17 convenience. I can call another witness or --

18 THE COURT: Okay. We'll move on then and  
19 I'll give you the opportunity -- you're telling  
20 me you don't want this person held, or on call,  
21 or anything?

22 MR. FITZPATRICK: I'd like him, if your  
23 Honor changes his ruling, I'd like him held.

24 THE COURT: Let's put it to bed now. I'm  
25 going to ask you to step out a minute, folks.

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2 Don't discuss the case.

3 COURT ATTENDANT: Right this way, please.

4 (The jurors were excused.)

5 THE COURT: This is what we'll do. The  
6 record should reflect the jury has been excused.  
7 Mr. Fitzpatrick, I will give you an offer of  
8 proof at this time with this witness, and then  
9 we'll review the objection.

10 MR. FITZPATRICK: Yes, your Honor.

11 THE COURT: Strategy.

12 MR. FITZPATRICK: Judge, outside the  
13 scope of my direct examination, because I never  
14 asked Mark Brosh any questions about how the  
15 defendant interacted with women --

16 THE COURT: Correct.

17 MR. FITZPATRICK: -- the defense made him  
18 his own witness and asked him, in fact, a character  
19 question, "How does he act around women?" "He is  
20 gentlemanly and polite." I would like to impeach  
21 this witness on that point because I have sworn  
22 statements from Sarah Hamlin that she was stalked  
23 by this defendant; that she had him arrested  
24 several times; that he tried to strangle her on  
25 occasion; that he threatened to kill her and

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2 threatened to kill her children; and that as a  
3 result of all of this conduct, she finally moved  
4 out of the Central New York area to get away  
5 from him. In other words, exactly the same --

6 THE COURT: Okay.

7 MR. FITZPATRICK: -- as Valerie Hill,  
8 except she -- Valerie Hill didn't get a chance  
9 to move out --

10 THE COURT: I think the key is you've  
11 asked this witness what he knew about this  
12 man's behavior and he said, in his experience, he  
13 saw him act a certain way. Now you want him to  
14 testify about someone else's state of mind.

15 MR. FITZPATRICK: I want to be able to  
16 impeach him on that point.

17 THE COURT: Well, take your shot now  
18 outside the presence of the jury, because I want  
19 to know what questions you're going to ask him  
20 and what knowledge he may or may not have about  
21 that issue.

22 BY MR. FITZPATRICK:

23 Q Mark, are you aware that Sarah Hamlin had the  
24 defendant arrested?

25 A Yes.

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2 Q Are you aware that these were for acts of  
3 violence against her?

4 A Yes.

5 THE COURT: Okay. Fair enough. Then I'm  
6 going to -- how did you come to be aware of this,  
7 sir?

8 THE WITNESS: I picked up Hector Rivas at  
9 the courthouse in Madison.

10 THE COURT: And he related why he was at  
11 the courthouse in Madison?

12 THE WITNESS: Yeah. He beat up Sarah  
13 Hamlin and was arrested for that.

14 THE COURT: Based on that testimony, and it  
15 comes from personal knowledge, I intend to allow  
16 the examination of this witness on this particular  
17 point, Mr. Calle.

18 MR. CALLE: I didn't hear that, I'm sorry,  
19 your Honor.

20 THE COURT: That's okay. Do you want a  
21 minute to confer with your client?

22 MR. CALLE: No, sir.

23 THE COURT: Based on this witness' personal  
24 knowledge from the defendant, of this relationship  
25 with this woman and the acts of violence, or the

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2 acts of his arrest surrounding that relationship,  
3 based on your testimony, or your questions, I'm  
4 going to allow the district attorney to delve  
5 into this on redirect, sir.

6 MR. CALLE: I would just object to the  
7 arrest coming in. We weren't talking about his  
8 reputation, just as to his knowledge -- not to  
9 bring in his arrest, that's a rebuttal, that this  
10 man gave reputation -- I don't believe this man  
11 gave reputation testimony to which is to be  
12 impeached.

13 THE COURT: Well --

14 MR. CALLE: He just gave his personal  
15 observations. So I would object if a prior  
16 arrest of violence were to be entered into the  
17 jury's knowledge at this time.

18 If you want to say what the relationship is  
19 with Sarah Hamlin, that's fine. I could ask him  
20 other quest ons that will maybe perhaps cover it.  
21 But to get into his arrest, I find that's too  
22 prejudicial, at this point.

23 THE COURT: I appreciate that. However,  
24 normally I wouldn't allow it, on a simple arrest  
25 to be



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2 brought before a jury, since they are certain  
3 presumptions attached and final dispositions may  
4 be different than what the charges were. However,  
5 given the nature of the questions, the fact that  
6 these alleged acts of violence arose to a level  
7 of the police intervening, causing an arrest to  
8 be made, I think that's significant and I think  
9 that the degree of violence is fair game for the  
10 prosecutor on redirect, and if that level  
11 reached the point where the police were called  
12 to intervene, an arrest was, in fact, made, I  
13 think that's significant, and I'm going to allow  
14 it.

15 Would you bring the jury back, please.

16 And based on that offer of proof, it's quite  
17 obvious I'm going to allow -- change my ruling  
18 on the objection.

19 (The jurors entered the courtroom and were  
20 seated in the jury box.)

21 THE COURT: Will the record reflect the  
22 jury is present and has returned to the  
23 courtroom.

24 Go ahead, Mr. Fitzpatrick.

25 BY MR. FITZPATRICK:

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2 Q Mr. Brosh, you were aware of who Sarah Hamlin  
3 is?

4 A Yes.

5 Q And you're aware that she, in the past, made  
6 several complaints against this defendant for beating her?

7 A Well, I don't know of the complaints that were  
8 made.

9 Q You know the defendant was arrested on more than  
10 one occasion for assaulting her?

11 A I know of one occasion.

12 Q And do you know which occasion that was?

13 A Uh -- I guess he beat Sarah Hamlin up, and I  
14 picked him up from the police department.

15 Q Do you know what time? In '84 and '85, or in  
16 '86?

17 A I don't really recall, to be honest with you.

18 Q Do you know if that was the time when he attempted  
19 to strangle her?

20 A I don't really -- didn't know the details. I  
21 just know there was a problem.

22 Q Do you know that was the time when he threatened  
23 to kill her?

24 MR. CALLE: I object to the line of  
25 questioning. There's no evidence that Mr. Rivas

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2 attempted to strangle Miss Hamlin --

3 THE COURT: I'll sustain --

4 MR. CALLE: -- nor evidence that he  
5 attempted to kill her.

6 THE COURT: I'll sustain the objection.

7 Do you know, personally, any circumstances  
8 surrounding that incident where you picked him  
9 up at the courthouse, sir?

10 THE WITNESS: The only thing I know, she  
11 was beat up by Hector Rivas, and I picked up  
12 Hector Rivas from the courthouse. That's all I  
13 know.

14 BY MR. FITZPATRICK:

15 Q Do you know, Mark, that she has since moved out  
16 of the Central New York area?

17 A Yes.

18 Q Do you know why she's moved out of the Central --

19 MR. CALLE: Objection.

20 THE COURT: Overruled.

21 Q Just if you know why.

22 A I guess she wanted to get away from Hector Rivas.

23 MR. CALLE: Objection.

24 THE COURT: Overruled, sir.

25 MR. CALLE: He says he guesses.

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2 THE COURT: Overruled, sir.

3 MR. FITZPATRICK: Thank you, Mark.

4  
5 RECROSS-EXAMINATION BY MR. CALLE:

6 Q Mark, did you know the relationship of Sarah  
7 and Hector?

8 A Yes.

9 Q What type of relationship was it?

10 A They were lovers.

11 Q Did they live together?

12 A Um -- at one point, I think they did, yeah.

13 Q Did you know that Sarah Hamlin used to batter  
14 Mr. Rivas?

15 A I knew they had some problems. I didn't know who  
16 was battering who. I really didn't care, to be honest with  
17 you.

18 Q Did you know that Sarah Hamlin, the next day,  
19 withdrew the charges that were the cause of Mr. Rivas'  
20 arrest?

21 A No, I didn't.

22 Q That, in fact, she admitted to the police that  
23 she lied?

24 A No, I didn't.

25 Q Nothing further.

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2 THE COURT: Okay. Anything else?

3 MR. FITZPATRICK: No, your Honor.

4 THE COURT: Thank you, sir. You may step  
5 down. Watch your step there.

6 (Witness excused.)

7 MR. FITZPATRICK: Lori Brosh.

8 THE COURT: Hang on just a minute, please.

9 (Photographs were marked for identification  
10 as People's Exhibit Numbers 25 and 26, this  
11 date.)

12 THE COURT: Hi, how do you do?

13 MS. BROSH: Good.

14 THE COURT: Keep your voice up nice and  
15 loud. If you don't understand any question, ask  
16 him to repeat it. You can't answer by saying  
17 mm-hmm. You have to say yes or no.

18 MS. BROSH: Okay.

19 THE COURT: Thanks.

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